

REMARKS

Reconsideration of the outstanding Office Action is respectfully solicited.

Claim 21 is Claim 14. Claims 22-24 correspond to Claims 11-13, respectively. Claim 26 corresponds to Claim 16. Claims 25-27 are based on Claim 19. Claim 28 is Claim 16. Claim 29 is Claim 15. Claim 30-32 correspond to Claims 11-13. Claims 33-34 are based on Claim 19. Claim 35 is Claim 20. Claim 36 is Claim 16. Claims 37-39 correspond to Claims 11-13; Claims 40-41 to Claims 19 and Claim 42 to Claim 27. Accordingly, the fee for one extra independent claim [in excess of the three covered by the filing fee] and 17 claims exceeding the 20 claims originally covered by the filing fee. A marked up version of the claim amendments is attached hereto as an APPENDIX.

Applicants respectfully traverse the rejection of Claims under 35 U.S.C. 112, second paragraph. However, the rejections are now moot since it is believed that the claims corresponding to Claims 19 and 20, presented as indicated above, have been written to conform to the Examiner's suggestion(s).

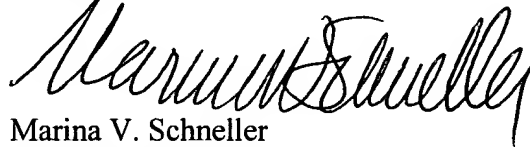
Applicants respectfully traverse the rejections under 35 U.S.C. 102 over Canterbury U.S. Patent 4,950,342. The Canterbury reference discloses a monobasic or dibasic propellant charge powder with nitroglycerin; a surface treatment of the propellant charge containing a polyester, for example a polycaprolactone, is claimed. A surface treatment of this type is intended to maintain the burning speed of the propellant powder constant even after a longer storage time.

In contrast, the instant application deals with the production of propellant charge powders, for which the burning speed is intended to be mostly independent of the respective outside temperature, and that outside temperature can be between -40 and +63 °C.

For this, the application suggests the use of a monobasic, a dibasic or a tribasic propellant charge powder comprising the components mentioned in the preamble to the German Claim 1, which are subjected to a surface treatment. The surface treatment of the respective propellant charge powder occurs with the aid of the polymers specified in the claims.

Thus, all independent claims presented herein distinguish our application over the Canterbury reference. Moreover, the Canterbury reference does not suggest the dependent claims.

Respectfully submitted,



Marina V. Schneller
Registration No. 26,032

Venable
Post Office Box 34385
Washington, D.C. 20043-9998
Phone: (202) 962-4800
Fax: (202) 962-8300

#271234

APPENDIX

MARKED UP VERSION OF CLAIMS

11. The method of claim [10]21, wherein the propellant is at least one of mono-, di- and tri-basic propellants for gun ammunition. Please add Claims 21 et seq.

--21. A method for producing a propellant powder for gun ammunition, comprising surface-treating a propellant powder with at least one polymer selected from the group consisting of polyether, polyurethane, polyurea, polybutadiene, polyamide, and cellulose ester.--

--22. The method of Claim 21, wherein the propellant is at least one of mono-, di- and tri-basic propellants for gun ammunition.--

--23. The method of Claim 22, wherein the propellant comprises at least one of nitrocellulose, a nitric acid ester, an alkyl nitrate ethyl nitramine, nitroguanidine, hexogen, octogen, 3-nitro-1,2,4-triazol-5-one, and hexanitrohexaazaisowurtzitane.--

--24. The method of Claim 23, wherein the nitric acid ester is at least one of nitroglycerine, diethylene glycol dinitrate, butane triol trinitrate, metriol trinitrate, and triethylene glycol dinitrate.--

--25. The method of Claim 21, wherein the surface-treating step comprises the step of applying a polymer, in the form of a solution or of an emulsion.--

--26. The method of Claim 25, wherein applying is by spraying in a rotating drum or incubating in an impregnating solution.--

--27. The method of Claim 21, wherein the polymer and an energetic, monomer softener components are applied as a mixture of the two components or by a two-stage, consecutive treatment.--

--28. The method of Claim 27, wherein the energetic softener comprises at least one of alkyl nitrate ethyl nitramine, nitric acid ester; bis(2,2-dinitropropyl) acetal, bis(2,2-dinitropropyl) formal, and dinitrodiazaalkane.--

--29. A method for producing a propellant powder for gun ammunition, comprising surface-treating a propellant powder with at least one polymer selected from the group consisting of poly-3-nitratomethyl-3-methyl oxetane, polyglycidyl nitrate, and glycidylazide polymer.--

--30. The method of Claim 29, wherein the propellant is at least one of mono-, di- and tri-basic propellants for gun ammunition.--

--31. The method of Claim 29, wherein the propellant comprises at least one of nitrocellulose, a nitric acid ester, an alkyl nitrate ethyl nitramine, nitroguanidine, hexogen, octogen, 3-nitro-1,2,4-triazol-5-one, and hexanitrohexaazaisowurtzitane.--

--32. The method of Claim 31, wherein the nitric acid ester is at least one of nitroglycerine, diethylene glycol dinitrate, butane triol trinitrate, metriol trinitrate, and triethylene glycol dinitrate.--

--33. The method of Claim 29, wherein the surface-treating step comprises the step of applying a polymer, in the form of a solution or of an emulsion.--

--34. The method of Claim 33; wherein applying is by spraying in a rotating drum or incubating in an impregnating solution.--

--35. The method of Claim 29, wherein the polymer and an energetic, monomer softener components are applied as a mixture of the two components or by a two-stage, consecutive treatment.--

--36. A method for producing a propellant powder for gun ammunition, comprising surface-treating a propellant powder with at least one of alkyl nitrate ethyl nitramine, nitric acid ester; bis(2,2-dinitropropyl) acetal, bis(2,2-dinitropropyl) formal, and dinitrodiazaalkane.--

--37. The method of Claim 36, wherein the propellant is at least one of mono-, di- and tri-basic propellants for gun ammunition.--

--38. The method of Claim 36, wherein the propellant comprises at least one of nitrocellulose, a nitric acid ester, an alkyl nitrate ethyl nitramine, nitroguanidine, hexogen, octogen, 3-nitro-1,2,4-triazol-5-one, and hexanitrohexaazaisowurtzitane.--

--39. The method of Claim 38, wherein the nitric acid ester is at least one of nitroglycerine, diethylene glycol dinitrate, butane triol trinitrate, metriol trinitrate, and triethylene glycol dinitrate.--

--40. The method of Claim 35, wherein the surface-treating step comprises the step of applying a polymer, in the form of a solution or of an emulsion.--

--41. The method of Claim 40; wherein applying is by spraying in a rotating drum or incubating in an impregnating solution.--

--42. The method of Claim 36, wherein the polymer and an energetic, monomer softener components are applied as a mixture of the two components or by a two-stage, consecutive treatment.--

#271234